

Remarks/Arguments

Status of Drawings:

It is noted with appreciation that the originally filed drawings have been accepted by the Examiner.

Status of Priority Claim:

The applicant notes with appreciation the Examiner's acknowledgement of receipt of the certified copy of the priority document.

Status of the Claims:

This amendment amends claim 6. No new matter has been added. Upon entry of this amendment, claims 1-11 will be pending.

Section 102(b) Rejections

The Examiner rejected claims 1-3, 5-8, 10 and 11 as being anticipated under 35 U.S.C. §102(b) by U.S. Patent No. 5,592,337 issued to Hama. With regard to claim 1, the Examiner states that Hama purportedly discloses a reflection mirror (Fig. 3, 17), a frame receiving and supporting the reflection mirror (27, 20), at least one fixing piece disposed in the frame and each having a connection surface which is slanted at a predetermined angle so as to be in tight contact with a reflection surface of the reflection mirror (hump on 33), at least one support block supporting a portion of a reverse surface of the reflection mirror (28a) and at least one clamp for clamping the at least one fixing piece and the reflection mirror

together in order to tightly contact the reflection mirror and the connection surface of the at least one fixing piece (30).

The examiner identifies the hump on 33 as purportedly the connection surface in tight contact with the reflection mirror; however, the Examiner does not identify the fixing piece in the rejection. In addition, the Examiner cites element 30 in Hama as the clamp for clamping the at least one fixing piece and the reflection mirror together in order to tightly contact the reflection mirror and the connection surface of the at least one fixing piece at least one support block is shaped in a triangle having a predetermined slant surface for contacting said portion of the reverse surface of the reflection mirror.

However, Hama states that element 30 is a fastener, which secures the mirror 17 in the mirror mount 27 (See Hama column 7, lines 4-5). In addition, the fastener 30 includes a rear wall 31 against which the back of the mirror 17 rests and an upper wall 32. The retaining arm portions 33 align with corresponding portions 28c when the fastener 30 is inserted in the frame (See Hama, column 7, lines 23-31).

No where in the specification does Hama disclose a clamp for clamping at least one fixing piece and the reflection mirror together in order to tightly contact the reflection mirror and the connection surface of the at least one fixing piece. As shown in FIG. 4 of the Applicant's drawings, clamp 300, the fixing piece 130 and the reflection mirror 200 are all separate features of the invention. The clamp 300 holds both the fixing piece 130 and the reflection mirror 200 together tightly. Hama does not disclose the separate features.

With regard to claims 2 and 3, the Examiner's rejection continues with a recitation of the limitation from claim 2. The Examiner states that Hama discloses at least one support

block shaped in a triangle having a predetermined slant surface for contacting the portion of the reverse surface of the reflection mirror in FIG. 3, element 28a. The Examiner specifically instructs the applicant to look at element 28a in FIG. 3.

It is well-known that triangles have 3 sides. Element 28a in Fig. 3 has no less than 7 sides. Using the zoom function provided in the patent document viewing utility of the U.S. Patent and Trademark Office website, at least 7 sides may be differentiated for element 28a in FIG. 3. Element 28a is clearly not a triangle and Hama does not disclose or suggest that element 28a can be triangular.

The Examiner does not address the limitation recited in claim 5 in the rejection.

With regard to claim 6, Hama does not teach the limitation of at least one fixing piece extending from the bottom of the frame and having a connection surface which is slanted at a predetermined angle so as to be in tight contact with a reflection surface of the reflection mirror. Accordingly, Hama does not teach the limitations recited in claims 7, 8, 10 and 11, which are dependent upon claim 6.

Since Hama does not teach all of the limitations as recited in the claim nor does Hama teach the arrangement of the elements as recited in the claim, applicants respectfully request that the Examiner withdraw the 35 U.S.C. §102(b) rejection of claims 1-3, 5-8, 10 and 11.

Section 103(a) Rejections

There appears to be a typographical error in the statement of the rejected claims. The rejection cited the limitation recited in claims 4 and 9 not 2 and 9. The Applicant will assume that the Examiner intended to list claims 4 and 9 in the rejection. The Examiner rejected claims 4 and 9 under 35 U.S.C. 103(a) as being unpatentable over Hama.

The Examiner states that it would be obvious to one of ordinary skill in the art to make the fixing piece integral with the bottom surface of the frame for the purpose of tightly securing the mirror to the housing. However, as stated above in the remarks regarding the rejection of claim 1, the Examiner does not specifically identify the fixing piece as taught by Hama. If Hama taught or suggested that the fixing piece was element 33a (the hemispherical protrusion on arm portion 33) was integral to the bottom surface of the frame, the fastener 30 would also have to be integral to the bottom surface of the frame because element 33a is part of fastener 30 (see FIG. 4). If the hump 33a, arm portion 33 and fastener 30 are integral to the bottom surface of the frame 27, then the fastener 30 could not be inserted over the reflection mirror 17 as shown in FIGS. 5a and 5b. Furthermore, if fastener 30 is integral to the bottom surface of the frame 27, how would Hama place the mirror 17 beneath the fastener 30?

In addition, Hama provides no suggestion or motivation for the fastener 30 to be integral with the frame of the optical scanning device as stated in the claims. Therefore, the Examiner is requested to withdraw the 35 U.S.C. §103 rejection of claims 4 and 9.

Conclusion:

In view of the above arguments and the claim amendment, reconsideration of the rejected claims is respectfully requested. Applicants believe the application is in condition for allowance based on the amendment to the claims and in light of the above arguments, and notice to that effect is respectfully requested. If the Examiner has any questions, the Examiner is invited to call the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Martin E. Miller", written over a horizontal line.

Martin E. Miller

Reg. no.: 56,022

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